

MESSAGE NO: 0223205 MESSAGE DATE: 08/10/2000  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: SCO-Scope PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-504

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/07/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

MESSAGE NO: 0223205 DATE: 08 10 2000

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

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PERIOD COVERED: 07 07 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: SCOPE RULING ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

1. ON 07/07/2000, IN RESPONSE TO A REQUEST BY ENDAR CORPORATION (ENDAR), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT THREE MODELS OF CANDLES IMPORTED BY ENDAR ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. SPECIFICALLY, THE DEPARTMENT FOUND THAT PILLARS AND TAPERS WITH MOLDED DECORATIONS ARE INCLUDED WITHIN THE SCOPE OF THE ORDER UNLESS: (1) THE DECORATION SPECIFICALLY LIMITS THE CANDLE

TO USE ONLY IN CONNECTION WITH A PARTICULAR RELIGIOUS HOLIDAY OR OTHER SPECIAL EVENT, AND (2) THE FIGURINE OR DECORATION IS PERMANENTLY ATTACHED TO THE CANDLE SUCH THAT REMOVING THE HOLIDAY NOVELTY DECORATION DAMAGES THE CANDLE.

THE DEPARTMENT RULED THAT ENDAR'S "6" x 3" PILLAR CANDLE", A PILLAR DECORATED WITH MOLDED GOLD SCROLL WORK, IS NOT A HOLIDAY NOVELTY CANDLE BECAUSE NOTHING IN THE CANDLE'S DESIGN LIMITS THE CANDLE'S USE SOLELY TO A SPECIFIC RELIGIOUS HOLIDAY OR OTHER SPECIAL EVENT. THUS, THE "6" x 3" PILLAR CANDLE" IS COVERED BY THE SCOPE OF THE ORDER.

THE DEPARTMENT ALSO RULED THAT ENDAR'S "GREEN CHRISTMAS TAPER" AND "WHITE CHRISTMAS TAPER," TAPERS DECORATED WITH THREE-DIMENSIONAL GREEN OR WHITE LEAF-LIKE DECORATIONS, ARE NOT HOLIDAY NOVELTY CANDLES BECAUSE NOTHING IN THE CANDLES' DESIGN LIMITS THE CANDLES' USE SOLELY TO A SPECIFIC RELIGIOUS HOLIDAY OR OTHER SPECIAL EVENT. FURTHER, THE DEPARTMENT FOUND THAT THE "GREEN CHRISTMAS TAPER" AND "WHITE CHRISTMAS TAPER" WERE NOT SHAPED IN THE FORM OF IDENTIFIABLE OBJECTS BECAUSE THE LEAF-LIKE DECORATIONS DID NOT ALTER THE CANDLES' FUNDAMENTAL SHAPE AS TAPERS, A SHAPE OF CANDLE SPECIFICALLY COVERED BY THE SCOPE OF THE ORDER. THUS, ENDAR'S "GREEN CHRISTMAS TAPER" AND "WHITE CHRISTMAS TAPER" ARE BOTH WITHIN THE SCOPE OF THIS ORDER.

3. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING ENDAR'S "6" x 3" PILLAR CANDLE," "GREEN CHRISTMAS TAPER" AND "WHITE CHRISTMAS TAPER" LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SEAN CAREY AT 202-482-3964, AD/CVD ENFORCEMENT,

IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION,  
DEPARTMENT OF COMMERCE.

5. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party